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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,399	09/29/2000	Carl Bilicska	Bilicska 3-2	9208

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EXAMINER

MAHMOUDI, HASSAN

ART UNIT PAPER NUMBER

2165

DATE MAILED: 12/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/675,399	BILICKA ET AL.	
	Examiner	Art Unit	
	Tony Mahmoudi	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6-11,13 and 14 is/are rejected.
- 7) ☒ Claim(s) 3,5 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. In response to communications filed on 29-September-2006, claims 1-3, 9, 11, and 13 are amended per applicant's request. Claims 1-14 are presently pending in the application, of which, claims 1 and 9 are presented in independent form.
2. Applicant's amendments have overcome the objections previously made to claims 1, 2, 9, and 11. The objections are therefore, withdrawn.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 3 are amended by the Applicant to recite the limitation, "operable to", followed by functional limitations, which renders the claim indefinite. A system being "operable to" indicates ability/capability of such system but not necessarily required functionality of the claimed invention. The Examiner cannot clearly establish whether the

Art Unit: 2165

functional limitations of “establishing” communications and access and “receiving” client identifiers are indeed required functions of the claim.

Claims 2-8 are rejected under 35 U.S.C. 112, second paragraph, as dependents of independent claim 1.

The Applicant can overcome the above rejection by amending the claims to change “operable to” to “configured to, or by simply removing the word “operable” from the above claims (e.g., “an authentication server to establish”; and, “said identification engine receives client identifiers....”).

Appropriate corrections are required.

Claim Rejections – 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 1-14 *remain* rejected under 35 U.S.C. 101 because they include non-statutory subject matter.

Claim 1 recites, “an automated authentication handling system”, “comprising a server operable to establish a two-way trusted communication link with an authenticated user”, and “establish access for the authenticated user”. The claim fails to establish a clear result (leave alone a “tangible”, “concrete”, and “useful” result.)

Art Unit: 2165

Claim 9 recites, “a method for automatically authenticating a client” comprising the steps of “identifying clients”, and “establishing a two-way trusted communication link between a client and an application server....”. the claim fails to establish a tangible result.

“Establishing” a “two-way trusted communication link with an authenticated user” appears to be a decision based on whether or not the user is authenticated and further depending on a list of application servers associated with a client identifier.

Neither independent claim mentioned above communicates (presents the result “establishment of the link”) to the user. Nor is any indication of such “established communication” stored anywhere in memory.

“establishment of communication” between two entities (a server and an authenticated user, in this case), by itself is not considered “tangible”. The link may become tangible when it is used to transfer/move elements between the two entities, which is not presently recited in the rejected independent claims.

Claims 2-8 and 14 are rejected under 35 U.S.C. 101 as dependents of rejected claim 1.

Claims 10-13 are rejected under 35 U.S.C. 101 as dependents of rejected claim 9.

Appropriate corrections are required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2165

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gudbjartsson et al (U.S. Publication No. 2001/0027519 A1, hereinafter referred to as Gudbjartsson) in view of Reed et al (U.S. Patent No. 5,862,325, hereinafter referred to as Reed.)

As to claim 1, Gudbjartsson teaches an automated (see Abstract and see paragraph 3) authentication handling system (see paragraphs 8, 10, and 31) for use by clients (see paragraphs 29 and 31) on a network (see paragraphs 29, 31 and 34) comprising:

an authentication server (see paragraph 31, where “authentication server” is read on “system server 101 authenticates the user”) operable to establish a two-way (see paragraphs 8, 29 and 30) trusted communication link (see “secure environment” in paragraphs 7 and 9; and see paragraphs 29 and 30, where “trusted” is the security provided by the ‘firewall 202’) with an authenticated user (see paragraphs 29, 31, 34, and 48) associated with a client identifier (see “personal identifiers” in paragraphs 30 and 56.)

Gudbjartsson does not teach access for the authenticated user to a list of application servers.

Reed teaches a computer-based communication system (see Abstract), in which he teaches a link (see column 26, lines 60-66) for access by an authenticated user (see column 26, lines 14-16) to a list of application servers (see figures 30, 31A, and 31B, and see column 103, lines 61-67, and column 104, lines 24-30.)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Gudbjartsson by the teaching of Reed, because including a link for access by an authenticated user to a list of application servers, would enable the system to provide secure means for authenticated clients to access desired web sites hosted by various servers throughout a network. For example, the system can provide a directory of partner service servers to the users, as taught by Reed.

As to claim 2, Gudbjartsson as modified teaches wherein the authentication server (see Gudbjartsson, paragraph 31, where “authentication server” is read on “system server 101 authenticates the user”) includes:

an identification engine configured to maintain collections of session assignments, each of the session assignment collections being associated with the client identifier (see Gudbjartsson, paragraphs 6-8, where “session assignment” is read on “security zones or domains”).)

As to claim 3, Gudbjartsson as modified teaches wherein said identification engine is operable to receive client identifiers from said clients (see Gudbjartsson, paragraph 56) to establish authenticated users (see Gudbjartsson, paragraph 37) and responsive thereto to provide a user interface to access said application servers according to said associated session assignments (see Gudbjartsson, paragraph 29.)

As to claims 4 and 5, Gudbjartsson as modified teaches wherein the authentication server (see Gudbjartsson, paragraph 31, where “authentication server” is read on “system server 101 authenticates the user”) includes:

a communication initiator engine (see Gudbjartsson, paragraph 39) configured to establish the trusted communication link between the authenticated users and an application server (see Gudbjartsson, “secure environment” in paragraphs 7 and 9; and see paragraphs 29 and 30, where “trusted” is the security provided by the ‘firewall 202’.)

As to claim 6, Gudbjartsson as modified teaches wherein the session assignments include data fields (see Reed, column 67, line 64 through column 68, line 3) selected from the group consisting of session timeout and application access level (see Reed, column 70, line 63 through column 70, line 10.)

As to claim 7, Gudbjartsson as modified teaches wherein the client identifier includes a user id (see Gudbjartsson, paragraph 35, where “user id” is read on “username”) and password (see Gudbjartsson, paragraphs 50-54.)

As to claim 8, Gudbjartsson as modified teaches wherein the authentication server (see Gudbjartsson, paragraph 31, where “authentication server” is read on “system server 101 authenticates the user”) includes a processor under the control of software (see “central processing unit” in Gudbjartsson, paragraph 25) to:

Art Unit: 2165

receive an authentication signal from the client (see Gudbjartsson, paragraph 56, and see Reed, column 28, lines 25-37);

provide an application access interface to the client in response to the authentication signal (see Reed, figures 22-24); and

establish the trusted communication link between the client and an application server selected from the application access interface (see Gudbjartsson, “secure environment” in paragraphs 7 and 9; and see paragraphs 29 and 30, where “trusted” is the security provided by the ‘firewall 202’.)

As to claim 9, Gudbjartsson teaches a method for automatically authenticating a client (see paragraphs 10 and 31) comprising the steps of:

providing an authentication server (see paragraph 31, where “authentication server” is read on “system server 101 authenticates the user”);

identifying clients to access an application servers by the authentication server (see paragraphs 7 and 35); and

establishing a two-way (see paragraphs 8, 29 and 30) trusted communication link (see “secure environment” in paragraphs 7 and 9; and see paragraphs 29 and 30, where “trusted” is the security provided by the ‘firewall 202’) with an authenticated client (see paragraphs 29, 31, 34, and 48.)

Gudbjartsson does not teach a plurality of application servers and access by an authenticated user to a plurality of application servers associated with a client identifier.

For the above teaching, the applicant is directed to the remarks and discussions made in claim 1 above, in view of the teachings of Reed.

As to claim 10, Gudbjartsson as modified teaches wherein the identifying step includes: providing session parameters for each of the identified clients for at least one of the application servers (see Gudbjartsson, paragraphs 6-8, and see Reed, column 34, lines 18-47.)

As to claim 11, Gudbjartsson as modified teaches wherein the identifying step includes: providing a user interface to the identified clients for accessing the application servers (see Gudbjartsson, paragraphs 35 and 50-54, and see Reed, column 68, lines 9-13.)

As to claim 12, Gudbjartsson as modified teaches wherein said establishing step includes:

using said session parameters (see Gudbjartsson, paragraphs 6-8) to establish said trusted communication link (see Gudbjartsson, “secure environment” in paragraphs 7 and 9; and see paragraphs 29 and 30, where “trusted” is the security provided by the ‘firewall 202’.)

As to claim 13, Gudbjartsson as modified teaches wherein the user interface includes a listing of application servers (see Reed, figures 30, 31A, and 31B, and see column 103, lines 61-67, and column 104, lines 24-30) and the establishing step is initiated following a

Art Unit: 2165

selection of an application server by a user from the user interface (see Reed, column 26, lines 47-64.)

As to claim 14, Gudbjartsson as modified teaches the method further comprising a plurality of application servers connected to the network (see Reed, figures 30, 31A, and 31B, and see column 103, lines 61-67, and column 104, lines 24-30), each requiring authentication for access (see Gudbjartsson, paragraphs 37 and 48, and see Reed, column 153, lines 20-23.)

Allowable Subject Matter

9. Claim 3, 5, and 12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, **provided that the Applicant overcomes all rejections made in this case, under 35 U.S.C. 112 and 101, relating to these claims and to their base (independent) claims.**

Response to Arguments

10. Applicant's arguments filed on 29-September-2006 with respect to the rejected claims in view of the cited references have been fully considered but they are either moot in view of the new grounds for rejection or they are not deemed persuasive:

The Applicant's arguments regarding the rejections made under 35 U.S.C. 101 have been fully considered but are not deemed persuasive. As detailed above in paragraphs 5-6, "establishment of communication" between two entities (a server and an authenticated user, in this case), by itself is not considered "tangible". The link may become tangible when it is used to transfer/move elements between the two entities, which is not presently recited in the rejected independent claims. Therefore, the Examiner maintains the rejections under 35 U.S.C. 101.

Applicant argues that, "Gudbjartsson does not disclose or suggest an authentication server adapted to establish a two-way trusted communication link for access by an authenticated user to a list of application servers associated with a client identifier. The Examiner respectfully disagrees. Gudbjartsson clearly teaches an authentication server (see paragraph 31, where "authentication server" is read on "system server 101 authenticates the user") operable to establish a two-way (see paragraphs 8, 29 and 30) trusted communication link (see "secure environment" in paragraphs 7 and 9; and see paragraphs 29 and 30, where "trusted" is the security provided by the 'firewall 202') with an authenticated user (see paragraphs 29, 31, 34, and 48) associated with a client identifier (see "personal identifiers" in paragraphs 30 and 56; and as detailed above, Reed teaches a link (see column 26, lines 60-66) for access by an authenticated user (see column 26, lines 14-16) to a list of application servers (see figures 30, 31A, and 31B, and see column 103, lines 61-67, and column 104, lines 24-30.)

Conclusion

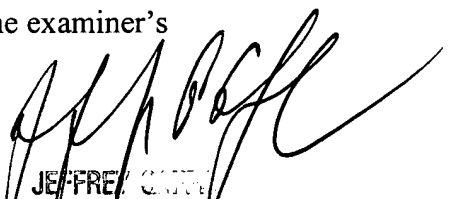
11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (571) 272-4078. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin, can be reached at (571) 272-4146.


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
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tm

November 21, 2006